

REMARKS

Reconsideration of the objection to claim 13 is respectfully requested in view of the amendments to that claim wherein the claim has been amended to clarify the members of the various groups.

Reconsideration of the rejection of claims 13 and 15 under 35 USC §112, first paragraph is respectfully requested in view of the above amendments.

Reconsideration of the rejection of claims 4, 13, and 15 under 35 USC §112, second paragraph is respectfully requested in view of the above amendments to the claims.

Reconsideration of the rejection of claims 1-5, 11-13, 16 and 17 under 35 USC §102(a) for being anticipated by Arnold is respectfully requested. Arnold describes a chew toy which is formed in the shape of a star, flat and massive. Therefore, it is not “elongated” as required by claim 1. As a consequence, the chew toy of Arnold does not include “at least two dihedrons, the edges of which extend along the entire length of the object,” since the star has no “length.”

Moreover, Arnold states that the chew toy may include from 0 to 5% dicalcium phosphate. This constituent is only an excipient (see attached description of dicalcium phosphate). It is not an active constituent, with either a therapeutic, remedial or preventive activity or an anti-tartar activity reinforcing the dental structure.

Arnold does not, therefore, anticipate claims, 1-5, 11-13, 16 and 17.

Reconsideration is respectfully requested of the rejection of claim 6-10 under 35 USC §103 as unpatentable over Arnold in view of Markham.

It is initially noted that the chew toy of Arnold is intended for ferrets and is “not effective for use with dogs.” (See, column 3, lines 19, 20.) In fact, a large part of the toy of Arnold is glycerin, which has a laxative effect. For that reason, prior art chew toys have

only small amounts of glycerin. A dog chewing a toy according to Arnold would ingest large quantities of glycerin in minutes, causing diarrhea. (See Column 3, lines 15-18.)

The above is not a problem with ferrets, however, because the nature of their teeth and their chewing habits limits the amount of glycerin they would ingest from the chew toy to only a small amount. (See, column 3, lines 20-25.)

In contrast, Markham describes a pet toy for a dog. Thus, one of ordinary skill in the art would not consider combining the teachings of Arnold and Markham and would instead be dissuaded from doing so.

Moreover, Markham does not describe an object including at least two dihedrons “the edges of which extend along the entire length of the object.” The toy of Markham includes several grooves. Even if these grooves are considered to define “at least two dihedrons,” the edges of the dihedrons extend along the periphery of the object (see figure 3) and therefore in a plane perpendicular to the length of the object. And still further, Markham does not disclose the content of any active component.

Accordingly, the rejection should be withdrawn because one of ordinary skill would not have considered combining Arnold with Markham, and the proposed combination would not have resulted in the claimed invention.

Reconsideration is also requested of the rejection of claim 14 and 15 under 35 USC §103 as unpatentable over Arnold in view of Markham and Rich.

Rich teaches no active constituent in its matrix and instead only includes a toothpaste formulation that is coated on an outer surface of the object. Thus, Rich discloses nothing relevant to claim 1.

It is submitted that this application is in condition for allowance, and an early indication thereof is respectfully requested. The examiner is invited to contact the undersigned to resolve any outstanding issues.

All necessary extensions of time are hereby requested. Please charge any fee deficiency or credit any overpayment to Deposit Account No. 50-1088.

Respectfully submitted,
CLARK & BRODY

A handwritten signature in cursive script, appearing to read "Conrad Clark", is written over a horizontal line.

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Dicalcium phosphate

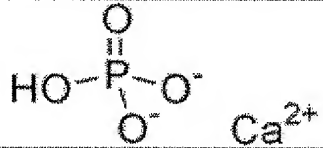
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Dicalcium phosphate, also known as calcium monohydrogen phosphate, is a dibasic calcium phosphate. It is usually found as the dihydrate, with the chemical formula of $\text{CaHPO}_4 \cdot 2\text{H}_2\text{O}$, but it can be thermally converted to the anhydrous form. It is practically insoluble in water, with a solubility of 0.02 g per 100 mL at 25 °C. It contains about 23 percent calcium in its anhydrous form, and is mainly used as a dietary supplement in prepared breakfast cereals, dog treats, enriched flour, and noodle products. It is also used as a tableting agent in some pharmaceutical preparations. It is used as a feed for poultry.

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Dicalcium phosphate	
	
IUPAC name	[show]
Other names	Calcium monohydrogen phosphate Phosphoric acid, calcium salt (1:1)
Identifiers	
CAS number	7757-93-9, 7789-77-7 (dihydrate)
PubChem	104805
Properties	
Molecular formula	CaHPO_4
Molar mass	136.06 g/mol
Solubility in water	0.02 g/100 mL
Hazards	
EU Index	Not listed
Flash point	Non-flammable
Related compounds	
Other anions	Calcium pyrophosphate
Other cations	Magnesium phosphate Monocalcium phosphate Tricalcium phosphate Strontium phosphate
Except where noted otherwise, data are given for materials in their standard state (at 25 °C, 100 kPa) Infobox references	